

House File 335 - Introduced

HOUSE FILE 335

BY ISENHART, DONAHUE, STAED,
ANDERSON, KURTH, BENNETT,
WINCKLER, and ABDUL-SAMAD

A BILL FOR

1 An Act relating to lead and copper testing in water supply
2 systems serving child care facilities and schools, and
3 making penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 135.105E Lead and copper testing in
2 child care facilities and schools.

3 1. For purposes of this section, "*water supply system*" means
4 the infrastructure used to transmit water from a water utility,
5 well source, or other source of water, whether publicly or
6 privately owned, to an end user.

7 2. *a.* Consistent with the requirements of 40 C.F.R. pt.
8 141, subpt. I, the owner or operator of a water supply system
9 shall collect samples at least annually at no fewer than twenty
10 percent of the child care facilities, as defined in section
11 237A.1, and no fewer than twenty percent of the school district
12 attendance centers, as defined in section 279.71, that the
13 water supply system serves and such samples shall be tested
14 for the presence of lead and copper. The owner or operator of
15 a water supply system shall ensure that samples are collected
16 from every child care facility and every school district
17 attendance center that the water supply system serves during
18 each five-year period.

19 *b.* The water supply system shall report respective results
20 of test samples to the child care facility or school district
21 attendance center that was tested. Upon reporting results,
22 the water supply system shall provide information on actions
23 that the child care facility or school district attendance
24 center can take to reduce the presence of lead and copper in
25 the drinking water. The water supply system shall also provide
26 information on methods to communicate results to users of the
27 child care facility or school district attendance center and
28 to parents or guardians of children who attend the child care
29 facility or school district attendance center.

30 *c.* (1) On or before August 1, 2022, and annually
31 thereafter, each water supply system shall submit a report
32 to the department of public health and the department of
33 natural resources. The report shall include the results of all
34 tests conducted on child care facilities and school district
35 attendance centers by the water supply system between July 1 of

1 the prior year and June 30 of the reporting year.

2 (2) On or before August 1, 2022, and annually thereafter,
3 each water supply system shall submit a report to the local
4 board that has jurisdiction over a child care facility or
5 school district attendance center that the water supply system
6 had tested during the reporting period. The report shall
7 include the results of all tests conducted by the water supply
8 system at child care facilities and school district attendance
9 centers in the local board's jurisdiction between July 1 of the
10 prior year and June 30 of the reporting year.

11 d. (1) A water supply system shall compile a list of all
12 child care facilities and school district attendance centers
13 in the water supply system's service area. The water supply
14 system shall make the list available on the system's internet
15 site.

16 (2) The water supply system shall annually contact each
17 child care facility and school district attendance center in
18 the water supply system's service area to provide information
19 about the health risks of lead and copper in drinking water,
20 schedule sample collection if required under paragraph "a",
21 and provide the most recent guidance from the United States
22 environmental protection agency on lead and copper reduction
23 strategies. This subparagraph is repealed July 1, 2026.

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with
26 the explanation's substance by the members of the general assembly.

27 This bill relates to testing for lead and copper in water
28 supply systems serving child care facilities and schools.

29 Federal regulations currently require water supply systems
30 to compile a pool of targeted sampling sites in the water
31 supply system's distribution system that "is sufficiently
32 large to ensure that the water system can collect the number
33 of lead and copper tap samples" as required depending on the
34 size of the water supply system. Federal regulations provide
35 procedures for additional monitoring and mitigation measures.

1 The bill requires each water supply system, as defined in the
2 bill, to collect samples annually from no fewer than 20 percent
3 of the child care facilities and no fewer than 20 percent of
4 the school district attendance centers that the water supply
5 system serves. Such samples shall be tested for the presence
6 of lead and copper. The bill requires the owner or operator
7 of a water supply system to ensure that samples are collected
8 from every child care facility and every school district
9 attendance center that the water supply system serves during
10 each five-year period.

11 The bill requires a water supply system to provide the
12 respective results to the child care facility or school
13 district attendance center that was tested and include
14 information on actions to reduce the presence of lead and
15 copper in the drinking water and methods to communicate results
16 to users. The bill requires each water supply system to submit
17 an annual report to the department of public health, the
18 department of natural resources, and the local boards of health
19 having jurisdiction over a location that was tested during the
20 reporting period. The report shall include test results from
21 July 1 of the preceding year through June 30 of the reporting
22 year.

23 The bill requires each water supply system to compile a list
24 of all child care facilities and school district attendance
25 centers in the water supply system's service area and make the
26 list available on the system's internet site. Until July 1,
27 2026, the water supply system shall annually contact each child
28 care facility and school district attendance center in the
29 water supply system's service area to provide information about
30 the health risks of lead and copper in drinking water, schedule
31 sample collection when required by the bill, and provide the
32 most recent guidance from the U.S. environmental protection
33 agency on lead and copper reduction strategies.

34 By operation of law, a person who knowingly violates the
35 provisions of the bill is guilty of a simple misdemeanor. A

H.F. 335

1 simple misdemeanor is punishable by confinement for no more
2 than 30 days and a fine of at least \$105 but not more than \$855.